



GAIL FARBER, Director

COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

August 14, 2012

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

29 August 14, 2012

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

**ADOPT, ADVERTISE, AND AWARD
RETAINING WALL CONSTRUCTION AND ROADWAY RECONSTRUCTION
TURNBULL CANYON ROAD AT MILE MARKER 3.0
IN THE UNINCORPORATED COMMUNITY OF HACIENDA HEIGHTS
(SUPERVISORIAL DISTRICT 4)
(3 VOTES)**

SUBJECT

This action is to approve the project to construct a retaining wall and reconstruct roadway pavement on Turnbull Canyon Road at Mile Marker 3.0 in the unincorporated community of Hacienda Heights; find the project statutorily exempt from the provisions of the California Environmental Quality Act; adopt the plans and specifications; call for bids; and authorize the Director of Public Works or her designee to award, execute, and implement a construction contract with the apparent responsible contractor with the lowest responsive bid.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find that this project is statutorily exempt from the provisions of the California Environmental Quality Act.
2. Approve the project and adopt the plans and specifications that are on file in the Construction Division of the Department of Public Works for retaining wall construction and roadway reconstruction, in the unincorporated community of Hacienda Heights, at an estimated construction contract cost between \$250,000 and \$345,000.

3. Instruct the Executive Officer of the Board of Supervisors to advertise for bids to be received and opened on September 6, 2012, in accordance with the Instruction Sheet for Publishing Legal Advertisement.

4. Authorize the Director of Public Works or her designee to award, execute, and implement a construction contract with the apparent responsible contractor with the lowest responsive bid within the estimated cost range, approve the Faithful Performance and Labor and Material Bonds and insurance submitted by the contractor, and deliver the project.

5. Delegate to the Director of Public Works or her designee the following authority in connection with this contract: (1) approve and execute change orders within the same monetary limits delegated to the Director of Public Works under Section 2.18.050 of the Los Angeles County Code relative to the construction of County buildings; (2) allow substitution of subcontractors and relief of bidders upon demonstration of the grounds set forth in Public Contract Code Sections 4100 et seq. and 5100 et seq.; respectively; (3) accept the project upon its final completion; (4) release retention money withheld consistent with the requirements of Public Contract Code Sections 7107 and 9203; and (5) extend the date and time for the receipt of bids consistent with the requirements of Public Contract Code Section 4104.5.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is to obtain approval of the project from your Board to adopt the plans and specifications; advertise for bids; authorize the Director of Public Works (Director) or her designee to award, execute, and implement a construction contract with the apparent responsible contractor with the lowest responsive bid for the construction of a retaining wall and reconstruction of roadway pavement and the performance of other appurtenant work.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provisions of Operational Effectiveness (Goal 1) and Integrated Services Delivery (Goal 3). The recommended actions will help achieve these goals by providing improved highway facilities for traveling public, which will benefit the community.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The estimated construction contract cost to complete this project is in the range of \$250,000 to \$345,000. The total project cost is estimated to be \$783,000. In addition to the construction contract cost, the total project cost includes preparation of plans and specifications, consultant services, survey and right-of-way certification, extensive geotechnical investigation and materials testing, inspection, contract administration, change order contingency, and other County services.

The project will be administered under the Federal Emergency Relief Program. Under this program, a portion of the project cost will be reimbursed by the Federal Highway Administration.

Funding for this project is included in the Fourth Supervisorial District's Road Construction Program in the Fiscal Year 2012-13 Road Fund Budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

This project, to contract for the construction of a retaining wall and the reconstruction of roadway pavement, is part of the Department of Public Works' (Public Works) ongoing highway construction and maintenance program. This project will be advertised in accordance with Section 20392 of the State Public Contract Code.

This project is to be completed in 45 working days. It is estimated the work will start in January 2013 and be completed in March 2013.

Delegating to the Director or her designee the authority to award, execute, and implement this construction contract allows an expedited contracting process to obtain a contractor for the construction of a retaining wall and reconstruction of roadway pavement.

The contract agreement will be in the form previously reviewed and approved as to form by County Counsel.

The award of the contract will not result in unauthorized disclosure of confidential information and will be in full compliance with Federal, State, and County regulations. The project specifications contain provisions requiring the contractor to comply with terms and conditions supporting your Board's ordinances, policies, and programs including, but not limited to: Reporting of Improper Solicitations, Board Policy No. 5.060; Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law), Board Policy No. 5.135; Contractor Employee Jury Service Program, Los Angeles County Code, Chapter 2.203; Notice to Employees Regarding the Federal Earned Income Credit (Federal Income Tax Law, Internal Revenue Service Notice 1015); Contractor Responsibility and Debarment, Los Angeles County Code, Chapter 2.202; the County's Child Support Compliance Program, Los Angeles County Code, Chapter 2.200; the County's Defaulted Property Tax Reduction Program Ordinance, Los Angeles County Code, Chapter 2.206; and the standard Board directed clauses that provide for contract termination or renegotiation.

The State Public Contract Code requires the County of Los Angeles (County) to award construction contracts to a responsible contractor with the lowest responsive bid, which is defined as the firm that: (1) submits the bid with the lowest cost; (2) is deemed by the County to be responsive to specific criteria under the solicitation including, but not limited to, licensure, bonding, and insurance requirements; and (3) is determined by the County to be a responsible bidder by exhibiting the capability, capacity, experience, trustworthiness, and financial wherewithal to perform the work required under the bid solicitation.

To ensure that the contract is awarded to a responsible contractor with a satisfactory history of performance, bidders are required to report violations of the False Claims Act, criminal convictions, civil litigation, defaulted contracts with the County, complaints filed with the Contractor's State License Board, labor law/payroll violations, and debarment actions. As provided for in Board Policy No. 5.140, the information reported by the contractor will be considered before making a recommendation to award.

The plans and specifications include the contractual provisions, methods, and material requirements necessary for this project and are on file with Public Works.

ENVIRONMENTAL DOCUMENTATION

This project is in a disaster-stricken area for which the Governor declared a state of emergency resulting from the December 2010 storm disaster, and is statutorily exempt from the provisions of the State Environmental Quality Act pursuant to Section 21080(b)(3) of the Public Resources Code. This exemption provides for the repair of Public Works' facilities that were damaged or destroyed as a result of a disaster in such an area.

CONTRACTING PROCESS

This project will be contracted on an open-competitive bid basis. A recommendation for award by the Director or her designee will be made after review of the bids meeting the criteria established by your Board and the State Public Contract Code. The County Local Small Business Enterprise preference will not be applied to the determination of the lowest responsive and responsible bidder. To be eligible for the Federal funds financing the majority of this project, Title 49, Code of Federal Regulations, requires award to the lowest bidder.

To increase contractor awareness of Public Works' program to contract work out to the private sector, this project will be listed on the County website for upcoming bids.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

When the project is completed, it will have a positive impact by providing improved highway facilities for the traveling public, which will benefit the community.

CONCLUSION

Please return one adopted copy of this letter to the Department of Public Works, Construction Division.

Respectfully submitted,



GAIL FARBER

Director

GF:JTS:ss

c: Chief Executive Office (Rita Robinson)
County Counsel
Executive Office
Internal Services Department (Countywide
Contract Compliance)